

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

January 29, 2003

Mr. Carl Swanstrom, Technical Director
Midwest Soil Remediation, Inc.
1480 Sheldon Drive
Elgin, IL 60120

Dear Mr. Swanstrom:

Recent discussions between Mr. Gary Duke of Shaw Environmental & Infrastructure, Inc., project prime contractor of the Warren County Landfill remediation project, and Hiroshi Dodohara of my staff indicate that parties involved with the landfill project may have misinterpreted provisions in Condition 10 of the TSCA Demonstration Approval issued June 13, 2002, extended on November 22, 2002 to terminate January 31, 2003. Condition 10 involves the implementation of the Interim Operations provisions. The purpose of this letter is to clarify the terms of Interim Operations and to authorize continuance of operations on the landfill.

Interim Operations provisions allow continuance of remedial operations for a short period of time after completion of the Demonstration Tests. It provides for incremental additions of operating time after the completion of the TSCA Demonstration based on monitoring results collected prior to, and during, the demonstration. For instance, submission of acceptable PCB emission results from shakedown operations may allow two additional weeks of operations at the completion of the demonstration, and two additional weeks from submission of the analytical results of treated soil. The enclosed Interim Operations schedule provides a time frame based on the completion of the landfill PCB Disposal Demonstration Tests on January 9, 2003. Of the six phases listed, the first two phases added four weeks of operations predicated on submission of acceptable results from samples collected during the process shakedown. These results were for PCB emissions indicating greater than the 99.9999% removal required for Phase 1, and analytical results of the treated soil confirming PCB levels of less than 2 parts per million meeting the criterion for Phase 2. Therefore, the cumulative period of Interim Operations for satisfying criteria for Phases 1 and 2 is four weeks, resulting in a termination date of February 7, 2003. Furthermore, results submitted on January 21, 2003 for PCB and HCl emissions during the PCB Disposal Demonstration satisfied the requirements for Phase 3, adding an additional two weeks of continued operations. This addition results in a termination date of February 21, 2003.

CONCURRENCES

SYMBOL	7404T	7404T						
SURNAME	Dodohara	Bay						
DATE	1/28/03	1/29/03						

By this letter, the National Program Chemicals Division (NPCD) of the Environmental Protection Agency (EPA) authorizes Midwest Soil Remediation, Inc. (MSR) to continue operations at the Warren County Landfill site located in Warrenton, North Carolina, until February 21, 2003. Submission of acceptable results for Phases 4 and 5 will add two weeks and four weeks respectively, resulting in termination dates presented in brackets. Approval for Interim Operations for Phases 4 and 5 will be granted electronically. However, Phase 6 of the Interim Operations requires a written authorization which allows continuation of operations until the final administrative disposition on the TSCA approval application. EPA will grant the Phase 6 authorization after EPA reviews the final PCB Disposal Demonstration report and accepts the results of the Demonstration.

Since an insufficient quantity of PCB liquid condensate was accumulated during the shakedown and pre-demonstration during the week of January 6, 2003, MSR was unable to demonstrate the Base Catalyzed Decomposition (BCD) Process. It is apparent that the estimate of the quantity of liquid PCB waste in the landfill is inaccurate. Hence, an accurate estimate of the volume of PCB condensate accumulation, or the time frame for accumulating the necessary quantity of condensate to demonstrate the BCD Process cannot be determined. Therefore, by this letter, NPCD authorizes MSR to continue to accumulate and store a sufficient quantity of PCB condensate to demonstrate the BCD and subsequently, to demonstrate the BCD Process for TSCA approval. MSR must notify NPCD 14 days prior to demonstrating the BCD Process.

If you have any questions regarding this matter, please contact Hiroshi Dodohara at (202) 566-0507.

Sincerely,

Brion T. Cook, Acting Director
National Program Chemicals Division

Enclosure

cc: Craig Brown
USEPA, Region 4

Pat Backus
North Carolina NCDENR

10. Interim Operations: To continue operations after the PCB Disposal Demonstration Tests have been completed, EPA must determine that the MSR HCI thermal desorption unit imposes no unreasonable risk to the environment and to human health. Specifically, EPA must determine that the HCI is equivalent to a TSCA PCB incinerator as defined in 40 CFR 761.70. MSR shall submit data to confirm that the HCI meets the standards for a PCB incinerator according to the schedule below. When MSR can show parameters meet the appropriate criteria, EPA will authorize, in writing, an additional designated period of operation specified in the schedule below.

<u>Phase</u>	<u>Parameters</u>	<u>Criteria</u>	<u>Authorized Duration of Interim Operations After Completion of Demonstration Tests</u>	<u>Cumulative Total Weeks of Interim Operations</u>	<u>Authorized Interim Operations to Terminate on Dates Below</u>
<u>Pre-Demonstration Data</u>					
(1)	PCB Emissions	99.9999% removal	two weeks	two weeks	Jan. 24, 2003
(2)	PCBs in treated soil	< 2 ppm	two weeks	four weeks	Feb. 7, 2003
<u>PCB Demonstration Test Data</u>					
(3)	PCB emissions HCI emissions	99.9999% removal four lb/hr maximum	two weeks	six weeks	Feb. 21, 2003
(4)	PCDD TEF emissions PCBs in treated soil	< 1 ng/m ³ < 2 ppm	four weeks	ten weeks	[March 21, 2003]
(5)	Breakthrough testing for PCBs		two weeks	twelve weeks	[April 4, 2003]
<u>Final Demonstration Test Report Must Confirm:</u>					
(6)	PCB emissions HCI emissions PCDD TEF emissions PCBs in treated soil Breakthrough testing for PCBs	99.9999% removal four lb/hr maximum < 1 ng/m ³ < 2 ppm	until permit is issued		